

# Order

**Michigan Supreme Court  
Lansing, Michigan**

April 28, 2009

Marilyn Kelly,  
Chief Justice

138136

Michael F. Cavanagh  
Elizabeth A. Weaver  
Maura D. Corrigan  
Robert P. Young, Jr.  
Stephen J. Markman  
Diane M. Hathaway,  
Justices

HELEN SMITH and DUANE MONTGOMERY,  
Plaintiffs-Appellants,

v

SC: 138136  
COA: 281245  
Wayne CC: 07-715538-NZ

RIVERFRONT CONDOMINIUM  
ASSOCIATION, HABITAT COMPANY OF  
MICHIGAN, L.L.C., RAM DEVELOPMENT  
COMPANY OF MICHIGAN, RAM  
COMMERCIAL GROUP, STOCKHOLDER OF  
RAM DEVELOPMENT COMPANY OF  
MICHIGAN, CREDITORS OF RAM  
DEVELOPMENT COMPANY OF MICHIGAN,  
BOULEVARD & TRUMBULL TOWING,  
RIVERFRONT APARTMENT 100,  
RIVERFRONT CONDOMINIUM 200 L,  
SIGNATURE GRILLE, LAMONT TITLE  
CORPORATION, FIRST AMERICAN TITLE  
INSURANCE COMPANY, RIVERFRONT  
CONDOMINIUM 300 L, PETER CUMMINGS,  
PETER CUMMINGS & ASSOCIATES, RAM  
DEVELOPMENT COMPANY, TKL DETROIT  
ASSOCIATES, L.L.C., TKL DETROIT  
ASSOCIATES, LTD., TKL DETROIT  
ASSOCIATES 1, TAUB-CO MANAGEMENT,  
INC., A. ALFRED TAUBMAN, TAUBMAN  
COMPANY, INC., VILLAGE GREEN  
MANAGEMENT, and ESTATE OF MAX  
FISHER,

Defendants-Appellees,

and

AMOUS, L.L.C., RIVERFRONT ASSOCIATES  
NO. 1, L.L.C., RIVERFRONT ASSOCIATES  
NO. 2, L.L.C., RIVERFRONT ASSOCIATES  
NO. 3, L.L.C., RIVERFRONT ASSOCIATES  
NO. 4, L.L.C., MILES JAFFE, RICHARD P.  
KUGHN, JRHW5 CORPORATION,  
RIVERFRONT EAST, L.L.C., MMF

ASSOCIATES, HABITAT COMPANY, L.L.C.,  
WILLIAM SHERMAN, MARY DAVIS FISHER,  
PHILLIP WILLIAM FISHER, JANE FISHER  
SHERMAN, MARJORIE F. ARONOW, JULIE  
FISHER CUMINGS, EMPIRIAN PROPERTY  
MANAGEMENT, WOODWARD REALTY  
ADVISORS, and DAVID ROBERT NELSON,  
Defendants.

---

On order of the Court, the application for leave to appeal the January 6, 2009 judgment of the Court of Appeals is considered, and it is DENIED, because we are not persuaded that the question presented should be reviewed by this Court.



0420

I, Corbin R. Davis, Clerk of the Michigan Supreme Court, certify that the foregoing is a true and complete copy of the order entered at the direction of the Court.

April 28, 2009

---

*Corbin R. Davis*

---

Clerk